

Eileen Furey/R5/USEPA/US
03/18/2008 01:15 PM To

Subject
EPA final comments on SOW

Bonnie,

The two "Jims" and Nicole had a few last comments on the draft Scope of Work for the peer review project:

1. These comments are offered with the caveat that it is our understanding that this SOW is still a draft, that will now be sent to EPA and MDEQ for formal approval. We reviewed the SOW for major issues.

2. When the document is submitted as a proposed final, it should include Attachment 1, i.e., the latest draft of the charge questions.

3. I understand there are still a few MSU studies that need to be sent to Jim Chapman, MDEQ and the BTAG.

4. The SRI/FS AOC uses the term "Baseline Ecological Risk Assessment" for purposes of describing the 2003 CDM report that was approved by EPA. Instead of using the term "Site-Wide Baseline ERA," we would prefer that the SOW maintain consistency with the AOC, and use the complete term "Baseline Ecological Risk Assessment." We don't mind the addition of the " (CDM 2003)" for purposes of clarity.

5. As appropriate, we suggest taking out the word "approximately" in describing time periods, and substitute the word "within," to ensure timeliness of meetings and reports. See, e.g., section 4-2.

6. Per my voice mail, EPA would like to have the peer review manager attend an EPA-sponsored public meeting sometime down the road to explain the peer review process, progress made, etc. We would also like him to answer questions, as appropriate, put forward by members of the community.

7. Section 4.2. seems to more narrowly constrain the initial presentations to the peer review panel than Jim Chapman remembered being discussed in the early meetings on the peer review process. As stated in the SOW, EPA will only summarize the existing Baseline Ecological Risk Assessment, and KRSG will only summarize the MSU studies. Jim had expected that EPA would also comment on what we considered to be key issues with the MSU studies, and that the KRSG would do likewise for the baseline ERA. We request that this be clarified in the SOW. EPA also wants to ensure that, as part of an EPA presentation, we could have someone from MDEQ and/or the Trustee group also speak if they so desire.

8. You and I have spoken previously about the requirement of the panel to address comments and questions raised by EPA and the KRSG on the draft. I think we solved that issue with the language that would allow panel members to answer to the extent they deemed "necessary and appropriate."

Okay, I think that's it -- at least until we catch anything else when the final draft comes in for review. We look forward to getting the SOW and charge questions finalized by the end of April.

Regards,
Eileen

Eileen L. Furey
Associate Regional Counsel
U.S. EPA, Region 5 (C-14J)
77 W. Jackson Blvd.
Chicago, IL 60604
(312) 886-7950